

Appl. No. : 10/531,548
Filed : December 12, 2005

REMARKS

Claims 1, 5, and 6 have been amended. Claims 1 through 8 are pending in the application and are presented for examination. The claim amendments are supported by, for example, figures 6, and 8-11, and the corresponding description, and previous Claim 1. No new matter has been introduced by the amendment. Applicant respectfully requests entry of the amendments and following remarks.

Discussion of Claim Objections

Claims 5 and 6 were objected to because of certain informalities. In response, Claims 5 and 6 have been amended. Withdrawal of the claim objections is respectfully requested.

Discussion of Rejection of Claims under 35 U.S.C. § 102(b)

Independent Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by Hobart (GB 2181948). In response, Claim 1 has been amended.

The amended Claim 1 requires "a shell construction which is deformable under seating load, which construction consists of an approximately spherical multi-faceted skeleton of geometrically shaped air permeable shell shaping sheet elements manufactured from porous natural or plastic material having the property to spring back in its original shape, and wherein the shell construction is provided internally with a hollow internal space which is partially filled with a number of relatively small shape-retaining particles". The seat in Hobart is in the shape of either a cylinder or a cube. Hobart does not teach an approximately spherical multi-faceted skeleton as required by Claim 1. Figures 3-7 and 9 of the present application illustrate embodiments of an approximately spherical multi-faceted skeleton as recited in Claim 1.

The shell in the shape of a cube or cylinder as shown in Hobart cannot completely regain its original shape nearly as well as an approximately spherical multi-faceted skeleton because the shell contains large pieces of resilient air permeable material which do not have sufficient inherent stiffness due to its own size and weight. The approximately spherical shells in Figures 3-7 and 9 are constructed by interconnecting a large number of small air permeable shell shaping sheet elements (7, 8), thus having a better shape retaining property.

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The remaining prior art of record does not cure these deficiencies in Hobart. Accordingly for at least these reasons, Claim 1 is not anticipated by Hobart. Therefore, allowance of independent Claim 1 is respectfully requested.

Claims 2-8 are dependent either directly or indirectly on the above-discussed independent Claim 1 and are not anticipated for at least the same reasons as set forth above. Therefore, Applicant respectfully requests the withdrawal of these claim rejections and prompt allowance of the claims.

Discussion of Rejection of Claims under 35 U.S.C. § 103(a)

Claims 2 and 8 were rejected under 35 U.S.C. §103(a) as being obvious over Hobart in view of Nelson (US 2003/0151295). However, neither Hobart nor Nelson teaches or suggests the feature “wherein the shell structure is obtained with a plurality of geometrically shaped air permeable sheet elements together shaping the shell, which are mutually interconnected into a three-dimensional geometrical shell by adhesive so as to have increased stiffness at the interconnections” as recited in Claim 2.

In Nelson, the adhesive (70) is applied to the inside of a plume (66) to improve the seal in the packaging that contains a seat. “[T] presence of ...adhesive... results in an at least substantially air-tight configuration....” See paragraph [0065] of Nelson. Nelson does not teach the use of the adhesive to increase the stiffness at interconnections, as asserted by the Examiner. Therefore, it would not have been obvious to one of ordinary skill in the art to produce the invention of Claim 2 in view of Hobart and Nelson.

For the same reason as stated above with regard to Claim 2, it would not have been obvious to one of ordinary skill in the art to produce the invention of Claim 8 in view of Hobart and Nelson. Withdrawal of the rejection of Claims 2 and 8 is respectfully requested.

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Conclusion

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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